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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 Donald E. Mitchell, JR.,

Case No. 2:19-cv-01933-JAD-DJA

7 Plaintiff,

**Order**

8 v.

9 Brian Williams, SR. et al.,

10 Defendants.

11 This is an action arising out of Plaintiff's claims that his rights were violated at the High  
12 Desert State Prison. Plaintiff moves to receive a copy of his complaint and exhibits and to extend  
13 the discovery deadline for three months. Because the Court finds that Plaintiff has not received his  
14 initial courtesy copy and that Plaintiff has demonstrated good cause to extend discovery, it grants  
15 the motions. The Court finds these matters properly resolved without a hearing. LR 78-1.

16 **I. Background.**

17 Plaintiff is an inmate at the High Desert State Prison. He moves for a copy of his  
18 complaint and exhibits (ECF No. 16), explaining that he never received his courtesy copy and  
19 cannot prosecute his case without it. Defendants did not respond.

20 Plaintiff also moves to extend the discovery deadlines (ECF No. 17). He explains that he  
21 never received a courtesy copy of his complaint and that correctional officers are preventing him  
22 from receiving and filing his legal documents. Plaintiff requests a three-month extension of the  
23 discovery deadline (ECF No. 14). Defendants did not respond.

24 **II. Discussion.**

25 ***A. The Court grants Plaintiff's request for a courtesy copy of his complaint.***

26 The statute allowing parties to proceed *in forma pauperis* does not include the right to  
27 obtain court documents without payment. *See* 28 U.S.C. § 1915. And granting an *in forma*  
28 *pauperis* application does not relieve the applicant of the responsibility to pay the expenses of

litigation not covered by 28 U.S.C. § 1915. LSR 1-6. The Court ordinary cannot provide free copies even to indigent plaintiffs proceeding *in forma pauperis*. See *Jackson v. Philson*, No. 3:20-cv-00009-GMN-CLB, 2020 WL 9888357, at \*1 (D. Nev. Sept. 28, 2020). However, when screening complaints, the Court routinely provides *pro se* prisoner plaintiffs with a courtesy copy of their complaints. See *id.*

Here, Plaintiff claims to have never received a courtesy copy of his complaint and its exhibits after the Court screened it. Thus, in this specific instance, the Court will grant Plaintiff's motion and provide him with a courtesy copy of the complaint and its attached exhibits (ECF No. 4). However, the Court informs Plaintiff that it will not provide him with free copies of any documents in the future, regardless of his indigent status.

***B. The Court grants Plaintiff's motion to extend discovery.***

A party must request to extend discovery at least 21 days before the deadline. LR 26-3. Courts evaluate *pro se* filings liberally. See *Balistreri v. Pacifica Police Dep't*, 901 F.2d 696, 699 (9th Cir. 1990). The motion to extend must include: (1) a statement of the discovery completed; (2) a description of the discovery remaining; (3) the reasons why the remaining discovery cannot be completed within the time limit; and (4) a proposed schedule for completing all remaining discovery. LR 26-3(a)-(d). The failure of an opposing party to file points and authorities in response to any motion constitutes a consent to granting of the motion. LR 7-2(d).

Here, Plaintiff timely requested to extend discovery, filing it on July 26, 2021, more than twenty-one days before the September 20, 2021 discovery cutoff. Construing his motion liberally, he has also met the requirements under LR 26-3. Plaintiff has explained: (1) that no discovery has been conducted; (2) that he anticipates serving requests for production, requests for admission, and interrogatories; (3) that he cannot complete discovery within the time frame because he does not have a copy of his complaint; and (4) that he proposes a three-month extension. Additionally, Defendants have not responded to Plaintiff's motion. The Court thus grants his request to extend the discovery deadlines by ninety days. The Court will not, however, extend the deadline to amend pleadings or add parties, which passed on August 23, 2021.

1           **IT IS THEREFORE ORDERED** that Plaintiff's motion for a courtesy copy of his  
2 complaint (ECF No. 16) is granted. The Clerk of Court is kindly directed to mail Plaintiff a copy  
3 of his complaint and its exhibits filed as ECF No. 4.

4           **IT IS FURTHER ORDERED** that Plaintiff's motion to extend the discovery deadlines is  
5 granted. The following deadlines shall apply to discovery in this case:

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7	Discovery cutoff	<b>Monday, December 20, 2021</b>
8	Discovery motions	<b>Monday, January 3, 2022</b>
9	Dispositive motions	<b>Tuesday, January 18, 2022</b>
10	Joint pretrial order	<b>Wednesday, February 17, 2022</b>
11		If dispositive motions are filed, the
12		date for filing the joint pretrial order
13		will be suspended until thirty days
14		after a decision on the dispositive
		motions or until further order of the
		Court.

15           DATED: September 2, 2021

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19 DANIEL J. ALBREGTS  
20 UNITED STATES MAGISTRATE JUDGE  
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